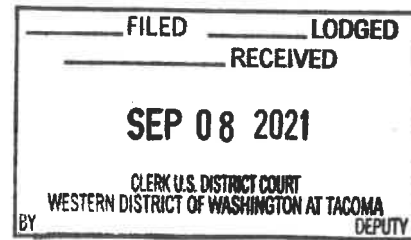


Magistrate Judge Fricke



UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL JASON LAYES,
a/k/a MIKEY DIAMOND STARRETT,

Defendant.

NO. MJ21-5189TLF

GOVERNMENT'S MOTION
FOR DETENTION

The United States moves for detention of the Defendant, pursuant to 18 U.S.C. § 3142(e) and (f).

1. Eligibility of Case. This case is eligible for a detention order because this case involves:

- ___ Crime of violence (18 U.S.C. § 3156)
- ___ Crime of Terrorism (18 U.S.C. § 2332b(g)(5)(B)) with a maximum sentence of ten years or more
- ___ Crime with a maximum sentence of life imprisonment or death
- ___ Drug offense with a maximum sentence of ten years or more
- ___ Felony offense and defendant has two prior convictions in the four categories above, or two State convictions that would otherwise fall within these four categories if federal jurisdiction had existed

1 ☐ Felony offense involving a minor victim other than a crime of violence

2 ☒ Felony offense, other than a crime of violence, involving possession or use
3 of a firearm, destructive device (as those terms are defined in 18 U.S.C. § 921), or any
4 other dangerous weapon

5 ☐ Felony offense other than a crime of violence that involves a failure to
6 register as a Sex Offender (18 U.S.C. § 2250)

7 ☒ Serious risk the defendant will flee

8 ☒ Serious risk of obstruction of justice, including intimidation of a
9 prospective witness or juror

10 2. Reason for Detention. The Court should detain defendant because there are
11 no conditions of release which will reasonably assure (check one or both):

12
13 ☒ Defendant's appearance as required

14 ☒ Safety of any other person and the community

15
16 3. Rebuttable Presumption. The United States will invoke the rebuttable
17 presumption against defendant under § 3142(e). The presumption applies because:

18 ☐ Probable cause to believe defendant committed offense within five years of
19 release following conviction for a "qualifying offense" committed while on
20 pretrial release

21 ☐ Probable cause to believe defendant committed drug offense with a
22 maximum sentence of ten years or more

23 ☐ Probable cause to believe defendant committed a violation of one of the
24 following offenses: 18 U.S.C. §§ 924(c), 956 (conspiracy to murder or
25 kidnap), 2332b (act of terrorism), 2332b(g)(5)(B) (crime of terrorism)

26 ☐ Probable cause to believe defendant committed an offense involving a
27 victim under the age of 18 under 18 U.S.C. §§ 1591, 2241, 2242,
28 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1) through 2252(a)(3),
2252A(a)(1) through 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425

1 4. Time for Detention Hearing. The United States requests the Court conduct
2 the detention hearing:

3 At the initial appearance

4 X After continuance of 3 days (not more than 3)
5

6 DATED this 8th day of September, 2021.

7 Respectfully submitted,

8
9 TESSA M. GORMAN
10 Acting United States Attorney

11 /s/ Rebecca S. Cohen
12 REBECCA S. COHEN
13 Assistant United States Attorney
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